

Review

Living Sharia: Law and Practice in Malaysia by Timothy P. Daniels. Seattle, WA: University of Washington Press, 2017. 280 pp., \$30 (pb). ISBN 978-0-29574-255-7.

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Sharia is a hot topic in public debates about Islam in secular liberal contexts and Muslim-majority states. From panics manufactured by Islamophobic right-wing ideologues in the West to demands for its implementation by some Muslim political activists, '*sharia*' as a symbol is highly politicized and polemical whilst meaning different things to different people in different locations. Malaysia is thus a unique case study as a country with Islam as an established state religion but with non-Muslims comprising more than 35% of the population. The contestations between pro- and anti-*sharia* advocates within such an environment are highly charged yet also highly complex.

By looking at people's lived experiences of *sharia* legislation and *sharia* itself as a dynamic, constantly evolving symbol in Malaysia, Timothy Daniels's book is a major and ambitious contribution to the study of contemporary Islam. It is primarily a synthesis of two dominant approaches within the anthropological study of Islam—the 'discursive tradition' lineage of Talal Asad and Saba Mahmood and the 'multiple Islams' approach advocated by anthropologists such as Michael Gilson and Gabriele Marranci (p. 7). It is also an argument for reviving the cognitive approach in anthropology which, Daniels argues, has been marginalized by the symbolic approach, as advocated by Clifford Geertz (p. 11). Symbolic approaches, he argues, run the danger of underestimating the polysemic nature of symbols, overestimating group consensus in the interpretation of symbols, and confusing macro and micro levels of analysis (pp. 12–13). To address these issues, Daniel uses ethnographic methods to highlight the ways that the cognitive approach can 'infer and explicate cultural models from written and spoken discourse' (p. 14).

The book opens with an overview of the introduction of *sharia* in the territories that constitute modern Malaysia. According to Daniels, whilst early manifestations of Islam in the Malay world were syncretistic and hybridized with Indic and animistic beliefs, there was a trajectory towards greater and more systematic implementation of *sharia* which was interrupted by the ‘secular format’ of British colonialism (p. 31). Under British colonial rule and its aftermath, *sharia* became reduced mostly to personal and family laws. Post-independence Islamic revivalism has become particularly polarizing—its advocates see it as an attempt to restore *sharia* to its rightful pre-colonial pre-eminence whilst liberal critics perceive it as a threat to Malaysia’s historical cosmopolitanism.

The next three chapters explore the contestations of *sharia* between multiple groupings—Malay nationalist elites from the former ruling party, the United Malays National Organisation (UMNO); *sharia* entrepreneurs, bureaucrats and functionaries; the opposition Malaysian Islamic Party (PAS); and ‘liberals’ such as the Muslim feminist group Sisters in Islam (SIS) and the Islamic Renaissance Front (IRF). The chapters investigate three key areas in which *sharia* discourses predominate in Malaysian political life—family law, criminal law and economics. The next two chapters compare and contrast ‘pro-*sharia*’ and ‘contra-*sharia*’ discourses, whilst the final chapter provides extended testimonies from Muslim individuals interviewed by Daniels.

The book’s main insight is that whilst there may be conflicts in how different Muslim interest groups define and pursue their goals of implementing *sharia*—including liberals, nationalists and traditionalists—they are interdependent and draw upon criticisms and contributions from each other. Thus, while SIS often criticizes the administration of *sharia* as patriarchal and coercive, civil servants in the *sharia* system contend that they regularly consult with SIS and occasionally, albeit partially, incorporate their suggestions. The contestations of *sharia* get particularly acrimonious, however, when its advocates respond defensively to the ‘phalanx’ of powerful foreign and local advocates of ‘hegemonic’ Western values of modernity, liberalism, pluralism and secularism.

According to Daniels, the everyday negotiations of *sharia* by believing Muslims can illuminate constructive ways out of this impasse. He analyses several narratives in which the Muslims he encountered cultivated more pious selves by reflecting upon and gradually incorporating *sharia* into their relationships, spirituality, and daily practices. He concludes that ‘politically dominant Malay Muslims’ need to pay better attention to minority and individual rights and expound their values with better *adab* (good manners) whilst ‘subaltern secular and Muslim human rights activists’ should be more flexible and accommodating of the state’s incorporation of Muslim laws (p. 229).

Daniels admirably balances different Muslim voices, especially ‘liberal’ Muslims such as SIS and traditionalists and revivalists such as PAS. Yet his

insights could be more incisive. For example, the image of a ‘phalanx’ of local and foreign actors perpetuating ‘hegemonic’ Western values is one-sided—there are also transnational linkages between local and foreign actors driving the politics of *sharia* in Malaysia, involving countries such as Saudi Arabia. Also, the discussion of the 1988 constitutional amendment that elevated the role of ‘marginalized’ *sharia* courts is incomplete (pp. 59–60). The amendment of Article 121 was not only controversial amongst activists because of its implications for Islamic law (as amended in Article 121[1A])—it also compromised judicial independence by placing the civil High Courts under Parliament, in other words, subordinating the judiciary to the legislature.

That this amendment occurred in the aftermath of a violent government crackdown, Operation Lalang, on more than 100 dissenters and activists—including feminists, environmentalists, trade unionists, and PAS leaders—also complicates the occasionally static picture that Daniels paints between PAS, UMNO, the *sharia* bureaucrats and ‘liberal’ Muslim groups such as SIS and IRF. There is a lack of attention to the discursive fluctuations and factions within these organizations and the movements of people and ideas in and out of them. For example, the human rights watchdog Suaram, which Daniels characterizes as a secular critic of Islam, was founded and supported by survivors of Operation Lalang, including conservative Muslim leaders. And even as Daniels characterizes the IRF as ‘liberal’, he neglects to mention that it was founded by a former leader of the Muslim Professionals Forum, a key player in the Islamic resurgence.

There is also an easy acceptance of the *sharia* bureaucrats’ claims that they invite groups like SIS to their discussions (p. 55). SIS actively gets excluded from several meetings, too, and has had to lobby repeatedly for inclusion and recognition in these consultations. These nuances matter because the fragmentation within Muslim political parties, activist movements and communities is complex, acrimonious, and can significantly alter the political landscape, which also implicates the future of *sharia*. This was most evident in the 2018 general election which resulted in the first democratic transition in Malaysia’s history that ended UMNO’s uninterrupted rule since independence.

Finally, the book unintentionally promotes another kind of hegemony—a Peninsula-centric perspective of Islam and politics. As Daniels observes, the states of Sabah and Sarawak in Borneo have different histories of incorporation into the Malaysian polity (p. 19). Their marginalization and struggles for recognition within the federation continue to complicate Peninsula-biased claims about national identity. The neglect of Borneo is a flaw that has affected numerous other studies of Islam in Malaysia, too, so perhaps what is needed is a study of lived Islam from the vantage points of Sabah and Sarawak.

These caveats aside, Daniels has produced a comprehensive, richly observed and sensitively analysed study of lived and living *sharia* in a complex cultural and political context.